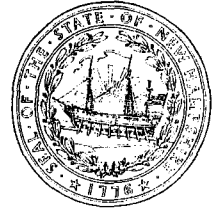




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Chris Crowe
P.O. Box 455
Littleton, NH 03561

LETTER OF DEFICIENCY
WD WQE 04-09
September 29, 2004

Re: Site Specific Permit WPS-6438
Luther Crowe Subdivision, Bethlehem, New Hampshire

Dear Mr. Crowe:

On August 17 and 20, 2004, personnel from the Department of Environmental Services ("DES") conducted inspections on the subject property. The purpose of these inspections was to determine compliance with RSA 485-A:17 and applicable rules promulgated pursuant thereto. During the inspections, the following deficiencies were documented:

1. The slopes at and near culvert 1 had not been adequately stabilized.
2. The road and its ditches had not been constructed in accordance with the approved plans. Specifically, additional fill had been placed on the road bed, and the final elevation of the road was higher than the design elevation. As a result, most of the ditches had been eliminated.
3. Culverts 2 and 3 had not been installed.
4. The level spreader downgradient of Culvert 3 had not been constructed, and
5. Ditch 6 and the associated detention pond had not been constructed.

DES believes that the cited deficiencies can be resolved by:

1. Reseeding and mulching the slopes at and near culvert 1 **by October 8, 2004**
2. Submitting revised plans and calculations, stamped by the design engineer, by **November 30, 2004** so that the Site Specific Permit may be amended,
3. Constructing and stabilizing the road, ditches and drainage structures in accordance with the amended plans **by May 31, 2005**, and

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September 29, 2004
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4. Notifying DES at 603-466-5910 **as soon as** the following work is completed:

- a. The reseeding and mulching at and near culvert 1, and
- b. The construction of the road, ditches and drainage structures.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 485-A:17 may result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against the Property.

All documents submitted in response to the Letter of Deficiency should be addressed as follows:

Department of Environmental Services
Water Division
29 Hazen Drive
Concord, NH 03302-0095

Attn.: Denise M. Frappier, Site Specific Program

Should you have any questions regarding this letter, please contact Denise Frappier at 466-5910 or dfrappier@des.state.nh.us.

Sincerely,


Ridgely Mauck, PE
Site Specific Program

RAM/DMF/rb
CERTIFIED MAIL, RRR: 7099 3400 0003 0687 9881

cc: Gretchen R. Hamel, Legal Unit Administrator
Denise M. Frappier - WQE/WD/DES
Cathy Furtek Conway, PE
Bethlehem Board of Selectmen